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10 Attorneys for Defendant
11 PARTY CITY CORPORATION

12 UNITED STATES DISTRICT COURT
13 FOR THE SOUTHERN DISTRICT OF CALIFORNIA

14 LARRY McIVER,

15 Plaintiff,

16 vs.

17 TARGET CORPORATION dba
18 TARGET #274; COST PLUS, INC. dba
19 COST PLUS WORLD MARKET #145;
20 FRIT ESCONDIDO PROMENADE,
21 LLC; LA SALSA, INC. dba LA SALSA
22 #93; APPLEBEE'S RESTAURANTS
23 WEST, LLC dba APPLEBEE'S
24 NEIGHBORHOOD BAR & GRILL
25 #5711; TOYS 'R' US – DELAWARE,
26 INC. dba TOYS 'R' US #5633; PARTY
27 CITY CORPORATION dba PARTY
28 CITY OF ESCONDIDO #445; INLAND
WESTERN MDS PORTOFOLIO, LLC,

Defendants.

Case No. 08 CV 0132 IEG WMg

**JOINT MOTION TO EXTEND
TIME FOR DEFENDANT
PARTY CITY CORPORATION
TO RESPOND TO
PLAINTIFF'S COMPLAINT**

1 With the joint consent of Plaintiff, Larry McIver, Defendant Party City
2 Corporation ("Defendant"), by and through their counsel, Fox Rothschild LLP,
3 hereby submit this motion for an extension of time to respond to Plaintiff's
4 Complaint in the within matter and in support thereof aver as follows:
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6 1. Defendant's counsel has contacted counsel for Plaintiff with regard to
7 the instant motion and Plaintiff's counsel has agreed to join in the request for an
8 extension of time for Defendant to respond to Plaintiff's complaint. Specifically,
9 the parties agree to extend the due date for the responsive pleading to March 10,
10 2008.
11

12 2. This matter was commenced on or about January 23, 2008 by the filing
13 of a complaint in the United States District Court for the Southern District of
14 California.
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16 3. This matter was served on Defendant Party City Corporation on or
17 about January 31, 2008.
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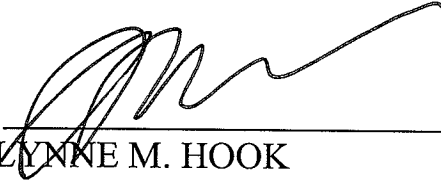
19 4. The request to extend the time to respond to the Complaint was made
20 because counsel for Defendant Party City did not receive the Complaint in
21 sufficient time to conduct an investigation into the allegations contained in the
22 Complaint in order to prepare a response thereto.
23

24 5. Due to these circumstances, in a telephone conversation with
25 Plaintiff's counsel's office on February 14, 2008, counsel for Plaintiff granted
26 Defendant additional time to respond to the Complaint.
27
28

1 WHEREFORE, Defendant and Plaintiff respectfully request that this Court
2 extend the time for Defendant Party City Corporation to respond to the Complaint
3 to March 10, 2008.
4

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6 Dated: February 19, 2008
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8 Respectfully submitted,
9 FOX ROTHSCHILD LLP

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13 LYNNE M. HOOK
14 Attorneys for Defendant
15 Party City Corporation

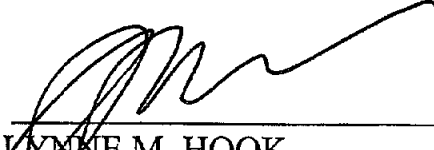
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17 DISABLED ADVOCACY GROUP

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